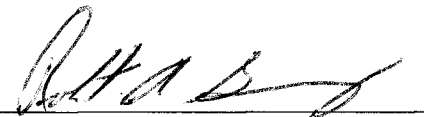


MEMORANDUM

Agenda Item No. 6(D)

| | | |
|--------------|--|--|
| TO: | Hon. Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners | (Second Reading 7-13-04) DATE: April 27, 2004 |
| FROM: | Robert A. Ginsburg County Attorney | SUBJECT: Ordinance relating to the PLANT (Princeton, Leisure City and Naranja) Area Municipal Advisory Committee |

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Dennis C. Moss.


Robert A. Ginsburg
County Attorney

RAG/jls



MEMORANDUM

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. **DATE:** July 13, 2004
and Members, Board of County Commissioners

FROM: George M. Borgeas
County Manager

A handwritten signature in black ink, which appears to read "Borgeas", is written over the printed name of George M. Borgeas.

SUBJECT: Ordinance creating and establishing the PLANT (Princeton, Leisure City and Naranja) Area Municipal Advisory Committee

The accompanying ordinance will not have a fiscal impact on Miami-Dade County.

The municipal advisory committee has been meeting as established through Resolution No. 518-03 adopted on May 6, 2003. Staff will continue to provide the support it has been providing until the committee's work is completed.

fiscal/03304



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: July 13, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(D)

Please note any items checked.

- _____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- _____ 6 weeks required between first reading and public hearing
- _____ 4 weeks notification to municipal officials required prior to public hearing
- _____ Decreases revenues or increases expenditures without balancing budget
- _____ Budget required
- _____ Statement of fiscal impact required
- _____ Bid waiver requiring County Manager's written recommendation
- _____ Ordinance creating a new board requires detailed County Manager's report for public hearing
- _____ Housekeeping item (no policy decision required)
- _____ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 6(D)
7-13-04

ORDINANCE NO. _____

ORDINANCE CREATING AND ESTABLISHING THE PLANT (PRINCETON, LEISURE CITY AND NARANJA) AREA MUNICIPAL ADVISORY COMMITTEE; DIRECTING STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE PLANT AREA; PROVIDING WAIVER OF SECTIONS 2-11.37(c) AND 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Resolution No. 518-03 (Attachment I) a PLANT Area Municipal Advisory Committee was created; and

WHEREAS, it is anticipated that the Committee's advisory report will not be completed within one year from the date that the Committee was created pursuant to resolution; and

WHEREAS, pursuant to the Code of Miami-Dade County, Section 2-11.31.1, committees that will exist for a year or more shall be created by ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Creating of the PLANT Area Municipal Advisory Committee; composition:

There is hereby created a PLANT Area Municipal Advisory Committee consisting of a minimum of no less than seven (7) members and no more than eleven (11) members. The initial members as well as any vacancies on the PLANT Area Municipal Advisory Committee shall be those members appointed pursuant to memorandum to be issued by the County Commissioner for the District. The members of the committee shall select officers from the membership as desirable or necessary.

Section 2. Purposes.

- 1) To review the possible incorporation of the generally described area set forth in Attachment I of this ordinance.
- 2) To prepare an advisory report that shall address the results of the study prepared by County staff as well as incorporation concerns of members of the Board of County Commissioners and the manner in which those concerns may be alleviated in the event the PLANT area is incorporated as a new municipality.

Section 3. Duties and Responsibilities.

- 1) The committee shall conduct no less than two duly advertised public hearings at which the residents of the area shall have the opportunity to express their views and concerns regarding the proposed incorporation of the PLANT area.
- 2) Prior to the first public hearing, the committee shall have reviewed the tape of the County Commission workshop on incorporation held on January 14, 1999, and shall be familiar with written materials concerning incorporation presented to the Board of County Commissioners at that time and at any subsequent meeting or workshop.
- 3) The committee's responsibilities shall terminate upon submission of its report to the Board of County Commissioners.

Section 4. The requirement of Section 2-11.37(c) of the Code of Miami-Dade County is hereby waived.

Section 5. Notwithstanding the provisions of Section 2-11.38 of the Code of Miami-Dade County, a member of a Community Council may simultaneously serve on the PLANT Area Municipal Advisory Committee.

Section 6. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 7. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall be excluded from the Code of Miami-Dade County, Florida.

Section 8. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 9. This ordinance shall stand repealed one year from its effective date.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

RA6

Prepared by:

CAC

Craig H. Coller

Sponsored by Commissioner Dennis C. Moss

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 10(A)(5)
5-6-03

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA**

RESOLUTION NO. R-518-03

RESOLUTION CREATING AND ESTABLISHING THE PLANT (PRINCETON, LEISURE CITY, AND NARANJA) AREA MUNICIPAL ADVISORY COMMITTEE AND SETTING FORTH ITS DUTIES; DIRECTING COUNTY STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE PLANT AREA OF MIAMI-DADE COUNTY

WHEREAS, a group of residents in the PLANT area of Miami-Dade County has expressed an interest in creating a new municipality in the PLANT area; and

WHEREAS, such residents recognize the serious implications of creating a new municipality both for the residents of the proposed municipality and for the remaining residents of the unincorporated area and therefore, desire to work with County staff to address these implications; and

WHEREAS, this Board desires to determine whether to proceed with the incorporation process of this municipality,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The proposed incorporation area in PLANT includes the area described on the map in Exhibit A, attached hereto and incorporated herein be reference.

Section 2. The PLANT Area Municipal Advisory Committee is hereby created and established consisting of a minimum of seven (7) and a maximum of eleven (11) electors who reside within the boundaries of the study area. The initial members, as well as any members appointed to fill vacancies in the PLANT Area Municipal Advisory Committee shall be those

ATTACHMENT 1

persons appointed pursuant to memorandum issued by the County Commissioner from District 9. Appointments shall become effective immediately upon each member filing with the Clerk of the County Commission his or her acceptance of such appointment and the oath of office. The members of the committee shall elect officers from the membership as may be deemed necessary or desirable.

Section 3. The committee shall conduct no fewer than two (2) duly advertised public hearings at which citizens shall have the opportunity to express their views and concerns regarding the proposed incorporation of the PLANT area.

Section 4. Prior to the first public hearing the committee shall have met with county staff to review and address concerns that have been raised by both members of the Board of County Commissioners and county staff, shall have reviewed the tape of the County Commission Workshop on Incorporation of January 14, 1999, and shall have become familiar with written materials concerning incorporation presented to the Board of County Commissioners at that time and at any subsequent meeting or workshop.

Section 5. Prior to the first public hearing, county staff from the Office of Management and Budget shall prepare a report concerning the proposed incorporation according to the procedures and guidelines contained in Section 20-22(A) and (B), Section 20-23(B), and Section 20-26 of the Code of Miami-Dade County and shall prepare a study to be reviewed by the committee and presented at the public hearings.

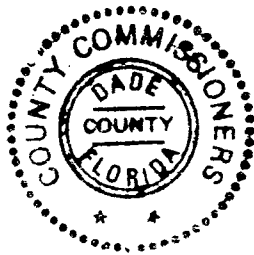
Section 6. Prior to one year from the adoption of this resolution, the committee shall prepare and submit an advisory report that shall address the results of the report prepared by county staff and the incorporation or annexation concerns of both members of the Board of County Commissioners and of county staff, and the manner in which those concerns may be

alleviated in the event the PLANT area is incorporated into a new municipality. The committee's responsibilities shall terminate upon submission of its report.

The foregoing resolution was sponsored by Commissioner Dennis C. Moss and offered by Commissioner **Dorrin D. Rolle**, who moved its adoption. The motion was seconded by Commissioner **Katy Sorenson** and upon being put to a vote, the vote was as follows:

| | | | |
|----------------------|---------------|--------------------------|---------------|
| Bruno A. Barreiro | aye | Dr. Barbara Carey-Shuler | aye |
| Jose "Pepe" Diaz | absent | Betty T. Ferguson | absent |
| Sally A. Heyman | aye | Joe A. Martinez | aye |
| Jimmy L. Morales | aye | Dennis C. Moss | aye |
| Dorrin D. Rolle | aye | Natacha Seijas | absent |
| Katy Sorenson | aye | Rebeca Sosa | aye |
| Sen. Javier D. Souto | | absent | |

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of May, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **KAY SULLIVAN**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CHC

Craig H. Collier

MEMORANDUM

Agenda Item No. 10(A)(5)

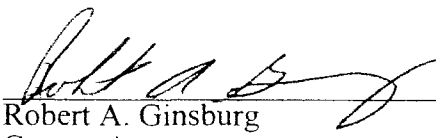
TO: Hon. Chairperson and Members
Board of County Commissioners

DATE: May 6, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution creating the PLANT
(Princeton, Leisure City and
Naranja) area Municipal
Advisory Committee

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Dennis C. Moss.


Robert A. Ginsburg
County Attorney

RAG/bw




MEMORANDUM

(Revised)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: May 6, 2003

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 10(A)(5)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review